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Ministry of Transport,
Metropole Buildings,
Northumberland Avenue,
London, W.C.2.

Government Publications

Reference No.
RV. 9649

February 8th, 1938

Sir,

I am directed by the Minister of Transport to refer to your letter of the 17th December asking for information about the regulation of transport by road goods vehicles in this country, particularly since the report of the Conference on Rail and Road Transport under the chairmanship of Sir Arthur Salter was published.

In this country a goods carrying vehicle must have two licences. One is for taxation and registration purposes and is issued for all mechanically-propelled vehicles, whether private motor cars, goods carrying or passenger carrying vehicles etc., and has been in operation since 1921. Appendices F & G of the Salter Report set out the rates of licence duty at that time, and the attached copy of Form RF. 19, which shews the current rates of licence duty, indicates the changes in the rates of duty since the presentation of the Report.

The second licensing system, set up by the Road and Rail Traffic Act, 1933, is peculiar to goods vehicles and is based on the recommendations of the Salter Report (Part III) and of the Final Report of the Royal Commission on Transport, 1930. Three types of Carrier's Licence are issued, viz. "A", "B" and "C". The system is explained in the attached Memoranda A (which also deals with passenger vehicles) and G.5/7. Memoranda G.5/9, G.6/12, G.7 and G.8, dealing with various details of the goods vehicle licensing system are also attached.

The provisions of the Act of 1933 for regulating the wages and conditions of employment of drivers of vehicles operated under "A" or "B" licences (see Memorandum G.7) proved inadequate; representations were received in this connection both from the employers' and employees' sides of the industry and an official Committee of Inquiry was accordingly set up to examine the position. This Committee has presented its report: Report of the Committee on the Regulation of Wages and Conditions of Service in the Road Motor Transport Industry (Goods), published by H.M. Stationery Office (CMD. 5440). A Bill dealing with the matter is to be introduced into Parliament during the present session.

The Minister has recently received from the Transport Advisory Council a Report on Service and Rates in relation to goods traffic borne by rail, canal, road and coastal shipping (published by H.M. Stationery Office, S.O. Code No. 55-183). The Council was set up under the Road and Rail Traffic Act, 1933, for the purpose of giving advice and assistance to the Minister in connection with the discharge by him of his functions in relation to means of and facilities for transport and their co-ordination, improvement and development. The Report is now under consideration.

Information as to the working of the goods vehicle licensing system is also to be found in the First and Second Annual Reports of the Traffic Area Licensing Authorities, and in a pamphlet entitled: Statistical information relating to goods vehicles authorised under Carriers' licences at the 30th April, 1936 (published by H. M. Stationery Office). Copies of these and of the Acts, Regulations and official publications mentioned above may be obtained through The Imperial News Company, 106 Jarvis Street, Toronto, or William Dawson Subscription Service Limited, 70 King Street East, Toronto.

I am, Sir,

Your obedient Servant,

"C. Hesley

The Secretary,
The Royal Commission on Transportation,
Province of Ontario,
302 Bay Street,
Toronto.

Copy

I. LICENSING OF PUBLIC SERVICE VEHICLES

References: Royal Commission on Transport, Second Report.
Road Traffic Acts, 1930, 1934 and 1936.
Road and Rail Traffic Act, 1933.
Public Service Vehicles (Licences and Certificates) Regulations, 1934.
Annual Reports of the Traffic Commissioners.

SCOPE OF LICENSING SYSTEM.

1. With comparatively unimportant exceptions all mechanically propelled vehicles used for the conveyance of passengers for hire (other than vehicles adapted to carry less than 8 passengers) are subject to licensing.

TRAFFIC AREAS AND ADMINISTRATION.

2. England, Wales and Scotland are divided into 12 Traffic Areas. The licensing system is administered in 11 of these Areas by 3 Commissioners appointed by the Minister of Transport. One of these Commissioners - the Chairman - is a full-time appointment; the other two are unpaid. Of these two, one is appointed from a panel nominated by the county councils in the particular Area and the other from a panel nominated by the borough and urban district councils in the Area. In the Metropolitan Area there is a single whole-time Commissioner appointed by the Minister.

3. Although the Minister is responsible to Parliament for the general administration of the licensing system, the Commissioners are not his servants in the ordinary sense and they have practically complete discretion in administering the licensing system subject, of course, to the provisions of the Acts under which they function.

4. Their general procedure is governed by Regulations made by the Minister, but apart from the fact that the Minister appoints them and can remove any Commissioner "for inability or misbehaviour" the only powers he is given by the Acts in relation to the grant or refusal of licences are those which arise from his position as the appellate authority and that of issuing "general directions".

5. These "directions" can lay down general principles to which the Commissioners should have regard but do not in any way interfere with their discretion in individual cases. Only two "general directions" have been issued - both in 1931. The first was issued to the Metropolitan Commissioner and dealt with circumstances peculiar to his Area; the second was issued to all Commissioners and related to the desirability of the provision of services in rural areas and the avoidance of hardship on existing operators.

6. In administering the system the Traffic Commissioners are required, by Section 72 of the Act of 1930, when considering an application for a licence (known as a "road service licence") to have regard to the following matters:-

(a) the suitability of the routes on which a service may be provided;
(b) the extent to which the needs of the proposed routes are already served;
(c) the extent to which the proposed service is necessary or desirable in the public interest;
(d) the needs of the Area as a whole in relation to traffic (including the provision of adequate, suitable and efficient services, the elimination of unnecessary services and the provision of unremunerative services), and the co-ordination of all forms of passenger transport, including transport by rail.

The Commissioners are also required to take into consideration any representations made by persons who are already providing transport facilities along or near to the routes or any part thereof, or by any local authority in whose area any of the routes or any part of any of the routes is situate.

CONDITIONS ATTACHED TO LICENCES.

7. The Commissioners may attach to any road service licence granted by them such conditions as they may think fit with respect to the matters mentioned above and in particular may attach conditions to secure that

(a) the fares shall not be unreasonable;
(b) where desirable in the public interest the fares shall be so fixed as to prevent wasteful competition with alternative forms of transport;
(c) that passengers shall not be taken up or set down except at specified points or shall not be taken up or set down between specified points.

The Commissioners have power to attach other conditions for securing generally the safety and convenience of the public.

8. The Commissioners may revoke or suspend a licence which they have granted on the ground that any condition subject to which the licence was granted has not been complied with but this power cannot be exercised unless the Commissioners are satisfied that owing to the frequency of the breach of conditions or to the breach having been committed wilfully or to the danger to the public involved in the breach, the licence should be revoked or suspended.

LICENSING OF DRIVERS AND CONDUCTORS.

9. The Commissioners also license the drivers and conductors of public service vehicles.

APPEALS

10. Appeals against decisions of the Commissioners are decided by the Minister of Transport except in the case of appeals with regard to the licensing of drivers and conductors where the appeal lies to a Court of Summary Jurisdiction.

The appeals which come to the Minister for decision may be against the refusal or the grant of a licence or against conditions attached to a licence. On an appeal the Minister has power to make such Order as he may think fit and the Order is final and binding on the Commissioners.

ANNUAL REPORTS OF COMMISSIONERS

11. The licensing system came into full operation on 1st April, 1931, and further and detailed information regarding the administration of the licensing system in each of the Traffic Areas may be obtained from the Annual Reports made by the Traffic Commissioners. The Reports from all Areas are published together by H.M.Stationery Office; the price is 2/6d. each volume (net).

Each Report includes statistical and other information prepared by the Ministry of Transport regarding appeals, the number of operators and vehicles, the number of passenger journeys, the receipts and the number of vehicle miles, and other matters.

II. THE LICENSING OF GOODS VEHICLES.

References:-
Royal Commission on Transport, Final Report.
Report of Conference on Road and Rail Transport (Salter Conference).
Road and Rail Traffic Act, 1933.
The Goods Vehicles (Licences and Prohibitions) Regulations, 1936.
The Goods Vehicles (Keeping of Records) Regulations, 1935.
The Road and Rail Traffic Act (Exemption) Regulations, 1936.
Annual Reports of the Licensing Authorities.

TRAFFIC AREAS AND ADMINISTRATION

12. The licensing system is based upon recommendations made by the Royal Commission on Transport (Final Report) and by the Conference on Road and Rail Transport. Broadly speaking both these bodies felt that it would be impracticable to secure any real co-ordination between road and rail until the unsatisfactory conditions existing in the industry of goods transport by road were removed; it was felt that the only way to bring order into this side of the industry was by means of a licensing system.

13. The Licensing Authorities are the Chairmen of the Traffic Commissioners in the different Traffic Areas; in the Metropolitan Area the Traffic Commissioner is the Authority. In a certain number of cases it has been necessary to appoint a deputy Chairman to an Authority.

14. The Minister of Transport appoints the Authorities but does not exercise any control over them with regard to the grant or refusal to grant licences; their discretion in the administration of the system is complete under the Act.

APPEALS

15. Appeals from the Decisions of the Authorities are heard by a special Tribunal constituted under the Act and appointed by the Minister after consultation with the Lord Chancellor, the President of the Board of Trade and the Secretary of State for Scotland. The Chairman of the Tribunal is required to be a person of legal experience. The decisions of the Tribunal are final and binding upon the Licensing Authority. The Minister exercises no control over the Tribunal. Arrangements have been made by which the decisions of the Tribunal are summarised in a convenient form so as to be available toall those interested as well as to the actual parties. These decisions are published by Messrs. Sweet & Maxwell, 2 and 3 Chancery Lane, W.C.2, in volumes entitled "Traffic Cases decided under the Railway and Canal Traffic Acts, Railways Act and the Road and Rail Traffic Act."

EXPLANATORY MEMORANDA.

16. The following memoranda have been prepared in the Ministry of Transport and are attached.-

(a) Memorandum for the guidance of persons using motor vehicles for the carriage of goods by road. (V.5/7). This memorandum (12 pages) contains a summary of the licensing and enforcement provisions of the Act of 1933;

(b) Memorandum regarding the Goods Vehicles (Keeping of Records) Regulations, 1935. (G.3/9). This memorandum (8 pages) is intended for the help and guidance of holders of licences who are required to keep certain records in connection with the vehicles specified in the licences and the hours of employment of drivers;

(c) Hours of drivers of goods vehicles. (G.8). Addendum. This Memorandum (1 page) is intended to explain as simply as possible the law relating to the length of time the driver of a mechanically-propelled goods vehicle may drive without a rest;

(d) Wages and conditions of employment of drivers and statutory attendants on goods vehicles (G.7). A Memorandum (1 page) explaining the law relating to the wages and conditions of employment of drivers and statutory attendants on goods vehicles authorised under public A and limited B carriers' licences;

(e) Speeds and weights and loading of goods vehicles. (G.9/22). These notes (1 page) give the main provisions of the law relating to the limits of speed and weight (laden and unladen) and the loading of goods vehicles.

OPERATION OF LICENSING SYSTEM.

17. As the licensing system did not come into full operation until 1st October, 1934, and as it is still in the early stages, little general information is yet available regarding its effect. Annual reports are submitted by the Licensing Authority for each Area covering the year ending 30th September; these are published together, price 2s.6d. each volume (net), by H.M. Stationery Office.

LICENSING OF HEAVY GOODS VEHICLE DRIVERS.

The Licensing Authorities also grant the special licences which are required to be held by drivers of goods vehicles over 2½ tons unladen weight.

ROAD AND RAIL TRAFFIC ACT, 1933

(Revised May 1937.)

Memorandum for the Guidance of Persons using Motor Vehicles for the Carriage of Goods by Road

1. This short description of the licensing and enforcement provisions of the Road and Rail Traffic Act, which received the Royal Assent on 17th November, 1933, does not purport to be a comprehensive summary of the provisions of the Act or of the Regulations made thereunder, but it may facilitate reference to the detailed provisions of the Act and the Regulations.

Licensing Requirements.

2. It is not lawful for any person to use a goods motor vehicle on a road for the carriage of goods either for hire or reward, or for or in connection with any trade or business carried on by him, unless the use of the vehicle for that purpose:-

(a) is authorised by a licence issued under the Act; or
(b) is not subject to the licensing system provided by the Act. (See para. 5 below.) (Act, Sec. 1 (1).)

3. For the purposes of this Act, the person by whom the vehicle is "used" is--

(a) the driver of the vehicle, if it belongs to him; or
(b) in any other case, the person whose agent or servant the driver is. (Act, sec. 1 (3).)

GOODS VEHICLES

4. A "goods vehicle" is a motor vehicle constructed or adapted for the carriage of goods and includes a trailer so constructed or adapted, but if a trailer is drawn by a private car constructed to carry not more than seven passengers (exclusive of the driver) and not adapted for use for the carriage of goods, the trailer does not require a licence unless it is used for carrying goods for hire or reward. (Act, sec. 1 (2) and (7) (b).)

As the expression "carriage of goods" includes the haulage of goods, licences will be required for the use of locomotives and tractors. (Act, sec. 36.)

An articulated vehicle counts as two vehicles; the tractor portion as a motor vehicle and the trailer portion as a trailer.

5. In general, the use of a goods vehicle for any non-commercial purpose does not require to be authorised by a licence but the performance by a local or public authority of its functions is regarded as the carrying on of a business. Certain vehicles are exempted from the licensing provisions

(Revised May 1987.)

Memorandum for the Guidance of Persons using
Motor Vehicles for the Carriage of Goods by Road

1. This short description of the licensing and enforcement provisions of the Road Traffic Act, which received the Royal Assent on 17th November, 1960, does not purport to be a comprehensive summary of the provisions of the Act or the regulations made thereunder, but it may facilitate reference to the detailed provisions of the Act and the Regulations.

Licensing Requirements.

2. It is not lawful for any person to use a goods motor vehicle on a road for the carriage of goods either for hire or reward, or for or in connection with any trade or business carried on by him, unless the use of the vehicle for that purpose:-

(a) is authorised by a licence issued under the Act; or
(b) is not subject to the licensing system provided by the Act. (See para. 3 below.) (Act, Sec. 1 (1).)

3. For the purposes of this Act, the person by whom a vehicle is "used" is-

(a) the driver of the vehicle, if it belongs to him; or
(b) in any other case, the person whose agents or servants the driver is. (Act, sec. 1 (3).)

Goods Vehicles

4. A "goods vehicle" is a motor vehicle constructed or adapted for the carriage of goods and includes a trailer so constructed or adapted, but if a trailer is drawn by a private car (construed to carry not more than seven passengers (exclusive of the driver) and not adapted for use for the carriage of goods, the trailer does not require a licence unless it is used for carrying goods for hire or reward. (Act, sec. 1 (4) and (7) (b).)

As the expression "carriage of goods" includes the haulage of goods, licences will be required for the use of locomotives and tractors. (Act, sec. 96.)

An articulated vehicle counts as two vehicles: the draught portion as a motor vehicle and the trailer portion as a trailer.

5. In general, the use of a goods vehicle for any purpose connected with a trade or business carried on by a person does not require to be authorised by a licence but the performance by a local or public authority of functions in pursuance of statutory powers or duties is regarded as the carrying on of a business. Certain vehicles are exempted from the licensing provisions

of the Act, the more important being (i) agricultural vehicles whose restricted use qualifies them for the reduced rates of taxation under the Finance Acts, (ii) trams, trolley vehicles, public service (passenger) vehicles and hackney carriages carrying parcels, and (iii) vehicles used for certain local authority or police services. Vehicles moved by human or animal power only are not affected by the Act. (Act, sec. 1 (1) and 7.)

A special pamphlet G 6/12 dealing with Agricultural Vehicles can be obtained from the licensing authorities on request.

Classes of Licence

6. There are three classes of licence:-

(a) The Public Carrier's (or A) licence entitles the holder to use the authorised vehicles for the carriage of goods for hire or reward and in connection with his business as a carrier of goods but in general for no other purpose connected with the carrying of goods. (Normal currency two years.)

(b) The Limited Carrier's (or B) licence entitles the holder to use the authorised vehicles for the carriage of goods either in connection with any trade or business carried on by him or (subject to any special conditions attached to the licence) for hire or reward. (Normal currency one year.)

(c) The Private Carrier's (or C) licence entitles the holder to use the authorised vehicles for the carriage of goods in connection with any trade or business carried on by him, but not for the carriage of goods for hire or reward except in a case of emergency, when the licensing authority may authorise the holder of a C licence to use a vehicle for the carriage of goods for any person to whom he lets the vehicle. (Act, sec. 2.) Normally, the holder of a C licence will be allowed to charge for delivery of goods sold to a customer in the ordinary course of business, or for delivery or collection of goods which have been, or are to be, subjected to a process or treatment by him (e.g. by a laundry). (Act, sec. 1 (5) (a) and (b).) A farmer operating under a C licence may, in certain circumstances, make a charge for carrying the produce of a neighbouring farmer. (Normal currency three years.) (Act, sec. 1 (5) (c).)

Licensing Authority.

7. The licensing authority is the Chairman of the Traffic Commissioners of the Traffic Area or his Deputy. (A list of the areas and addresses of the licensing authorities is given in Appendix II.) (Act, sec. 4.)

Applications for Licences.

8. Applications for licences must be made:-

(a) In the case of A and B licences, to the licensing authority for the Area in which is situate the permanent base or centre from which the authorised vehicles will normally be used. (A separate application must be made in respect of each base or centre but there is no need tomake a separate application in respect of each vehicle.) (Act. sec. 5 (3).)

(b) In the case of C licences, to the licensing authority for the area either in which the principal place of business of the applicant is situate or in which his head office is situate. (Act, sec. 5 (4).)

A person may hold two or more licences of the same class or of different classes, but no vehicle may be specified at the same time in more than one licence. (Act, sec. 2 (8) and (9).)

Power to Grant or Refuse Licences.

9. As explained in the succeeding paragraphs, the licensing authority is bound to grant certain applications. He must grant an A licence in respect of vehicles to be used for "contract" tonnage; and he must grant all applications for C licences. In other cases the authority has full power to grant or refuse a licence; for the sake of brevity, these are referred to in this Memorandum as applications for "discretionary" tonnage.

When considering applications for "discretionary" tonnage, the licensing authority is required to take into consideration the following matters, amongst others:-

(a) the need for the proposed facilities;
(b) the past conduct of the applicant as a carrier;
(c) the need for an allowance to cover vehicles under repair;
(d) the extent to which the application represents a conversion from horse-drawn to motor transport.

(Act, sec. 6 (2).)

A LICENCES

10.(a) "Claimed" (Contract) tonnage: Subject to the provisions of the Act, the licensing authority is required to grant an application in respect of vehicles to be used exclusively on a contract extending over a continuous period of not less than one year made by a carrier with some person other than a carrier for the carriage of that person's goods in connection with his trade or business. (Act, sec. 7 (1).)

(b) A "Discretionary" tonnage: The licensing authority has discretion to grant in whole or in part or to refuse entirely any other application for an A licence. The licensing authority has also discretion to refuse the renewal of a licence previously granted. (Act, sec. 6 (1) (a).)

B LICENCES.

11. As regards any application for a B licence the licensing authority has discretion to grant an application in whole or in part or to refuse it entirely. He can attach conditions to any licence granted. The licensing authority has also discretion to refuse the renewal of or to alter the conditions attached to a licence previously granted. (For conditions which may be attached see paragraph 26 below.)(Act, sec. 6 (1) (a).)

C LICENCES.

12. Subject to the provisions ofthe Act, the licensing authority is required to grant an application for a "C" licence.

"HIRING ALLOWANCE."

13.(a) The expression "hiring allowance" is used here to indicate the vehicles which may be authorised under Section 8 (6) (b) and (c) of the Act.

(b) An applicant for a licence who desires authority to take on hire additional vehicles, on terms under which he will take complete control of the vehicles and the drivers will be his agents or servants, should apply for a "hiring allowance" to cover such hirings to be included in his licence.

(c) A person who takes on hire (together with the driver) from the holder of an A or B licence a vehicle authorised by the A or B licence (on terms under which the driver does not become the hirer's agent or servant during the period of use) does not need either an A, B or C licence because in such circumstances it is the holder of the A or B licence who is deemed by the Act to be the user of the vehicle and his A or B licence is all that is necessary.

(d) If, however, a person desires to take on hire a vehicle on terms under which he takes complete control of the vehicle and the driver is to be his agent or servant during the period of use, the person taking the vehicle on hire will be the person who must obtain a licence (either A, B or C according to the use he intends to make of the vehicle). (Act, sec. 1 (3).)

(e) If the owner of a vehicle lets it on hire with the driver for the carriage of goods on terms under which the driver remains his agent or servant during the period of use, he will require an A or B licence. (Act, sec. 1 (4).)

PROCEDURE ON APPLICATION.

14.(a) Applications for A and B licences must be made in duplicate on the appropriate forms (GV. 1A for an A licence and GV. 1B for a B licence). Applications for C licences must be made on form GV.3 but need not be submitted in duplicate. Every application by an individual must be signed by the applicant; if the applicant is a partnership firm it must be signed by one of the partners; an application by a corporate body must be signed by a person duly authorised for that purpose. (For fees payable see Appendix I.)

(b) In addition to the information supplied on the forms an applicant for an A, B or C licence may be required to furnish any information which the licensing authority may reasonably require for the discharge of his duties. (Act, sec. 5.)

APPLICATIONS FOR A AND B LICENCES.

15.(a) Applicants for A or B licences in using form GV.1A or form GV.1B must annex in duplicate whichever of the forms GV.2 or GV.3 is applicable.

(b) A person applying for licences under more than one head must use the forms appropriate to each head:-

"Claimed" (Contract) Tonnage ("A" licences only) GV.2

"Discretionary" Tonnage ("A" or "B" licences) GV.3

(c) More than one of the above forms (addressed to the same licensing authority) may be forwarded under one covering application and declaration (Form GV.1A or GV.1B) but some applicants may consider it desirable to make separate applications in respect of their "contract" tonnage.

(d) Every application for an A or a B licence should be made at least eight weeks before it is desired that the licence shall take effect.

(e) An applicant for an A or B licence may also be required to give (on Form GV.4) particulars of his business as a carrier and certain particulars of material arrangements or agreements with other providers of transport or of the financial interests of such persons in his business.

C Licences.

16. An application for a C licence must be made on Form GV.5; only one copy is required and no other forms need be annexed.

Applications for C licences in substitution for existing licences should be made at least four weeks and all other applications for C licences at least two weeks before the date on which the licence is to be effective.

Holding companies should obtain from the licensing authority the special leaflet (C 5/11) "Holding Companies".

SHORT TERM LICENCES.

17. The licensing authority may grant a short term licence for a period not exceeding three months to enable vehicles to be used temporarily for the purposes of seasonal business, the execution of a particular piece of work, or any other purpose of limited duration. Application for a short term licence should be made on Form GV.8. (Act, sec. 3 (3).)

18. In the case of an application for a licence for the full currency period, the licensing authority may grant a short term licence to enable the applicant to operate pending the determination of the application. A short term licence so granted will normally be valid for a period not exceeding three months, but in order to enable the work of licensing to be spread out, the licensing authority may grant a short term licence on the first application for an A or B licence for periods not exceeding 18 months in the case of an A licence and 6 months in the case of a B licence. This procedure will not prevent an applicant from receiving ultimately a licence for the full currency period. (Act, sec. 3.(4).)

VARIATION OF LICENCES.

19. The licensing authority is required to grant applications for variations of A and B licences in respect of:-

(a) the removal of a specified vehicle from the licence;
(b) a reduction in the number of vehicles specified in the licence;
(c) the specification in the licence of one vehicle in substitution for another specified vehicle, provided that the new vehicle is not of greater weight unladen than the old vehicle.

For the above variations no fees are payable.

In other cases the licensing authority has power to grant or refuse applications for variations of A or B licences. For fees payable see Appendix I. (Act, sec. 10.)

Applications for variations of A and B licences must be made on Form GV.6 and, save in respect of variations which the licensing authority is bound to grant, should be made at least eight weeks before it is desired that the variation shall take effect.

20. The licensing authority is required to grant any application (made on Form GV.7) for a variation of a C licence. (Act, sec. 10 (1) and (4).)

The holder of a C licence may use a vehicle before it has been specified in the licence provided that he gives notice (on Form GV.7) to the licensing authority within one month of the date on which the vehicle was acquired. (Act, sec 2 (7).)

PUBLICATION OF APPLICATIONS.

21. The licensing authority is required by the Act and the Regulations to give notice of certain applications and decisions. The official "Applications and Decisions" is published as occasion requires.

Broadly speaking, the Act requires the publication of all applications for the grant of A (except "contract") or B licences and for variations of these licences which, if granted, would have the effect of increasing the total number of vehicles specified in the licences, or extending the scope of operations under a B licence, unless the licensing authority is of opinion that the trivial character of the application makes it unnecessary that opportunityshould be given for objection.

When publishing notice of an application the licensing authority will also specify the time within which, and the manner in which, objections may be made to the grant of the application. (Act, sec. 11.)

OBJECTIONS TO APPLICATIONS

22. Objections to an application published in "Applications and Decisions" may be made by persons who are already providing facilities for the carriage of goods for hire or reward in the district or between the places which the applicant intends to serve. The grounds upon which objection may be made are the following:-

(a) that suitable transport facilities exist in the district or between the places which the applicant intends to serve;
(b) that, if the application were granted, there would be facilities in excess of requirements;
(c) that any of the conditions of a licence held by the applicant has not been complied with.

The form in which objections must be made is set out in the Goods Vehicles (Licences and Prohibitions) Regulations, 1936. An objection must be signed by the person making it (in a partnership firm by one of the partners and in a corporate body by a person duly authorised for the purpose) and must reach the licensing authority not later than fourteen days after the publication of the application in "Applications and Decisions".

The licensing authority is not bound to take into consideration objections to an application for the grant or variation of an A licence if they are made by a person who holds a B licence and does not also hold an A licence. The holding of a C licence does not give any right of objection.
(Act, sec. II (2).)

INQUIRIES.

23. The licensing authority may hold such inquiries as he thinks necessary for the proper exercise of his functions under the Act. (Act, sec II (5).)

STATUTORY CONDITIONS ATTACHED TO ALL LICENCES.

24. The Act provides that it shall be a condition of every licence:-

(a) that the authorised vehicles are maintained in a fit and serviceable condition;
(b) that the law with respect to limits of speed and weight, laden and unladen, and the loading of goods vehicles is complied with in relation to the authorised vehicles;
(c) that in relation to the authorised vehicles the requirements of the law regarding the limits of time for which drivers may remain continuously on duty are observed;
(d) that the provisions of the Act and of the Regulations relating to the keeping of records as to hours of work, intervals of rest, journeys, loads, and greatest weight of goods carried at any one time, are complied with;
(Act, secs. 8 and 16.)

and in the case of an A or B licence

(c) that the conditions of employment of drivers and statutory attendants on the authorised vehicles are not less favourable than those required in respect of Government contracts by the "Fair Wages" Resolution of the House of Commons. (Act, sec. 8 (2).)

Explanatory memoranda on the matters referred to in paras. (b) to (c) can be obtained from the licensing authorities on request.

CONDITIONS ATTACHED TO A LICENCES

25. The licensing authority cannot attach any conditions to A licences, other than the foregoing statutory conditions, save that licences for "contract" tonnage will authorise the use of the vehicles exclusively for the purposes of the specified contract.

CONDITIONS ATTACHED TO B LICENCES.

26. The licensing authority may attach to a B licence any or all of the following conditions so far as concerns the carriage of goods for hire or reward:-

(a) that the authorised vehicles shall be used only in a specified district or between specified places;
(b) that certain classes or descriptions of goods only shall be carried;
(c) that goods shall be carried only for specified persons;

and also such other conditions (not being conditions with respect to the rates to be charged) as the licensing authority may think fit to impose in the public interest and with a view to preventing uneconomic competition. (Act, sec. 8 (3).)

CONDITIONS ATTACHED TO C LICENCES.

27. The licensing authority cannot attach any conditions to a C licence, other than the statutory conditions set out in (a) to (d) of paragraph 24 above.

APPEALS

28.(a) An applicant for the grant or variation of a licence, who is aggrieved by a decision of the licensing authority; or
(b) an objector who duly made an objection which the licensing authority was bound to take into consideration, and is aggrieved by the decision of the licensing authority; or
(c) the holder of a licence who is aggrieved by its revocation or suspension

may appeal to the Appeal Tribunal (for address see Appendix II) constituted under the Act, which consists of three members appointed by the Minister (after consultation with the Lord Chancellor, the President of the Board of Trade and the Secretary of State for Scotland). (Act, sec. 13.)

The procedure for the lodging and hearing of appeals is set out in Regulation 23 of the Goods Vehicles (Licences and Prohibitions) Regulations, 1936, and the Road and Rail Traffic Act, 1933 (Appeal Tribunal) Rules, 1934.
(See footnote, page I.)

29. The Tribunal may require the attendance of witnesses, examine witnesses on oath and award to any party to an appeal such costs as the Tribunal may consider reasonable. The Tribunal may also fix the fees to be paid in respect of appeals but may remit the whole or part of any fee on the ground of the poverty of an applicant. (Act, sec. 13(12) and (13).)

30. The Tribunal has power to make such order as it thinks fit on an appeal; and the decision is final and binding on the licensing authority. (Act, sec. 13 (14).)

IDENTIFICATION OF AUTHORISED VEHICLES.

31. Every vehicle used under a carriers' licence is required to display either on the near side of the vehicle, or on the windscreen near the Road Fund licence, an identity certificate issued by the licensing authority. The certificate is of the same size as a Road Fund licence. A vehicle operated as part of a "hiring allowance" is required to display a special "hiring allowance" certificate. The certificate for a trailer can be displayed either on the trailer or on the vehicle drawing it. (Special provisions apply to vehicles operated under General Trade Licences.)

TEMPORARY REPLACEMENT OF VEHICLES

32. Where a motor vehicle specified in an A or B licence has been withdrawn from service for overhaul or repair or has been rendered unfit for service, the licensing authority may grant free or charge a short term licence authorising the temporary use of another vehicle in its place. Application for such a licence should be made by letter setting out the circumstances and accompanied by the identity certificate of the vehicle to be replaced.

For C licences, any need for temporary replacement of this nature should be covered by a "hiring allowance."
(See paragraph 13 above.)

CHANGE OF LEGAL ENTITY OR ADDRESS

33. A licence is personal to the licensee. Any change in the legal entity of the holder (e.g., change in the constitution of a partnership, formation of a limited liability company) necessitates an application for a new licence.

A licensee must within seven days notify any change of address to the licensing authority by whom the licence was issued.

POWER TO REVOKE OR SUSPEND LICENCES.

34. Subject to the provisions of the Act, a licence may be revoked or suspended in whole or in part, by the licensing authority on the ground that any of the conditions attached to the licence have not been complied with. If the holder so requests, the licensing authority must hold a Public Inquiry before revoking or suspending the licence. On any revocation or suspension, the licensing authority, if so requested by the holder of the licence, must state the grounds in writing.
(Act, sec. 13.)

PENALTIES

35. The Act provides for penalties for non-compliance with its terms or with the conditions of any licence.
(Act, sec. 34, 38.)

EXAMINATION OF VEHICLES

36. A Certifying Officer or Vehicle Examiner appointed by the Minister is authorised at any time, on production of his authority, to enter and inspect any goods vehicle (whether subject to the licensing provisions of the Act or not) and to enter (at reasonable hours) any premises on which he has reason to believe that a goods vehicle is kept. No authority is given to these officers to stop a vehicle in motion.
(Act, sec. 17 (2).)

POWER TO PROHIBIT USE OF VEHICLES

37. If, on inspection, the Certifying Officer or Vehicle Examiner considers that a goods vehicle is, or is likely to become, unfit for service until the defects have been remedied, he may give a notice to the owner of the vehicle and to the person in charge of it prohibiting its use. Any person using a goods vehicle whilst a prohibition is operative in relation to it is liable to severe penalties. (Act, sec. 17 (4) and (10).)

38. A prohibition of the use of a vehicle may be removed by any Certifying Officer or Vehicle Examiner if he is satisfied that the defects have been remedied and that the vehicle is fit for service. If a Certifying Officer refuses to remove a prohibition, the owner of the vehicle may appeal to the Minister. (Act, secs. 17 (6) to (9).)

Ministry of Transport.

May, 1937.

APPENDIX I

Fees for Licences and Variations of Licences.

1. Licences for full currency period:-

Class of Licence		Fee per vehicle	Period of currency.
A	...	30s.	two years
B	...	20s	one year
C	...	7s. 6d.	Three years

An allowance is made in respect of each complete month by which the validity of a short term administrative licence may be curtailed by the issue of a full currency licence.

2. Short term licences:-

(a) Granted on request of applicant (current 3 months or less):-

Class of licence		Fee per vehicle
A	...	7s. 6d.
B	...	10s.
C	...	2s. 6d.

(b) Granted for administrative purposes:

Class of licence		Fee per vehicle per month.
A	...	1s. 3d.
B	...	1s. 8d.

3. Variation of currency licences by increasing the number of vehicles above the maximum number authorised under the licence at any previous time:

Class of licence		Unexpired period of licence not exceeding	Fee per added vehicle.
A	...	six months	7s. 6d.
		one year	15s.
		18 months	22s. 6d.
		two years	30s.
B	...	six months	10s.
		one year	20s.
C	...	one year	2s. 6d.
		two years	5s.
		three years	7s. 6d.

4. Variation of short term licences increasing the number of vehicles above the maximum number authorised under the licence at any previous time:

Class of licence		Fee per added vehicle per month or part of month
Short term A	---	1s. 3d.
Short term B	---	1s. 8d.

APPENDIX I

Fees for Licences and Variations of Licences.

1. Licence for full current period:-

Class of Licence		Fee per vehicle	Period of currency.
A	...	30s.	two years
B	...	20s	one year
C	...	7s. 6d.	three years

An allowance is made in respect of each complete month by which the validity of a short term substitutive licence may be curtailed by the issue of a full current licence.

2. Short term licences:-

(a) Granted in respect of applicant's own business or for hire):-

Class of Licence	Fee per vehicle	Class of Licence	Fee per vehicle per month.
A ...	7s. 6d.	A ...	1s. 3d.
B ...	10s.	B ...	1s. 6d.
C ...	5s. 6d.		

(b) Granted for administrative purposes:

3. Variation of currency licences by increasing the number of vehicles above the maximum number authorised under the licence at any previous time:

Class of Licence	Unexpired period of licence not exceeding	Fee per added vehicle.
A ...	six months	7s. 6d.
	one year	15s.
	18 months	22s. 6d.
	two years	30s.
B ...	six months	10s.
	one year	20s.
C ...	one year	5s. 6d.
	two years	8s.
	three years	7s. 6d.

5. Where, on granting a licence, the licensing authority has included vehicles "to be acquired" the fees to be paid will be calculated in accordance with paragraphs 3 or 4 above as from the time when the vehicles are specified in the licence.

6. Where an application is dealt with under the provisions of paragraph (b) of Section II (3) of the Act, the fee will be computed at the rates set out in paragraph 3 above in respect of each vehicle as from the date on which the licence is expressed to have effect.

7. Variations of conditions attached to B licences:-

Fee per licence
10s.

8. No fee is payable in respect of any variation of the vehicles authorised under a licence unless it involves an increase in the number of vehicles above the maximum number authorised under the licence at any previous time.

9. No fee is payable for a short period licence issued under the special provisions relating to the temporary replacement of motor vehicles withdrawn from service for overhaul or repair or rendered unfit for service. (See para. 32 above.)

APPENDIX II

LICENSING AUTHORITIES

England and Wales.

Northern: 41-45, Grey Street, Newcastle-upon-Tyne, I.
Yorkshire: 44, The Headrow, Leeds, I.
Northe Western: Arkwright House, Parsonage Gardens, Deansgate, Manchester, 3.
West Midland: York House, Great Charles Street, Birmingham, 3.
East Midland: Grosvenor House, Friar Lane, Nottingham
Eastern: Sussex House, Hobson Street, Cambridge.
South Wales: Graham Buildings, Newport Road, Cardiff.
Western: Beacon House, Queen's Road, Bristol, 8.
Sough Eastern: Gaywood House, Wood Street, S.W.I.
Metropolitan: Romney House, Marsham Street, S.W.I.

Scotland

Northern: 17, Broad Street, Aberdeen
Southern: 44-46, Palmerston Place, Edinburgh, 12.

Appeal Tribunal

The offices of the Appeal Tribunal are in Kings Buildings, Smith Square, Westminster, S.W.1.

ROAD AND RAIL TRAFFIC ACT, 1933

Memorandum Regarding The Goods Vehicles (Keeping of Records) Regulations, 1935

(October, 1936.)

Note.- This Memorandum is intended for the help and guidance of holders of "A," "B" or "C" licences who are required to keep certain records in connection with the vehicles specified in the licences and the hours of employment of drivers. The purpose of the Memorandum is to explain the intention of the Regulations; their legal interpretation is a matter for the Courts.

Conditions of Licence

1. One of the conditions attaching to every licence--whether an A, B or C licence--granted under the Act is "That the provisions...relating to the keeping of records are complied with." (Act, sec. 8 (1) (d).)

2. Failure to comply with this condition renders the licence holder liable to penalties (Act, sec. 9 (1).) The penalty that may be imposed by a Court of Summary Jurisdiction is in the case of a first offence a fine not exceeding £20, and in the case of a second or subsequent offence a fine not exceeding £50. (Act, sec. 35.)

3. In addition, a Licensing Authority may revoke or suspend, either in whole or in part, any licence that he has granted if any condition of the licence has not been complied with. The Authority, however, may not revoke or suspend a licence unless he is satisfied (after holding a public Inquire, if the holder of the licence requests him so to do) that owing to the frequency of the breach of conditions of the licence or to the breach having been committed wilfully, or to the danger to the public involved in the breach, the licence should be revoked or suspended. (Act, sec. 13.)

The Keeping of Records

4. The Act places upon every holder of a licence and upon every driver of an authorised vehicle the obligation to keep, subject to Regulations made by the Minister, current records containing particulars of (i) the hours of work of the drivers of authorised vehicle s and (ii) the journeys made by such vehicles and the loads carried. The particulars are prescribed by the Act but the form and manner in which they must be kept are laid down in the Regulations.

Before making the Regulations the Minister consulted the Transport Advisory Council and a large number of representative organisations.

DEFINITIONS

5. Regulation 5 defines various expressions used in the Regulations. It should be noted that "driving" covers more than actually sitting at the wheel of the vehicle and driving it along a road. For the purpose of these records as well as for the purpose of Section 19 of the Road Traffic Act, 1930 (which, as amended, contains the law regarding the limitation of time during which drivers of goods vehicles may remain continuously on duty), any time spent by a driver on other work in connection with a vehicle or the load carried thereby must be reckoned as time spent in driving. For example, if a driver spends half an hour in making the vehicle ready to take out, the time so spent must be counted as time spent by the driver in "driving." Similarly, if the driver helps to load the vehicle the time so spent must be counted as "driving" time. (A leaflet (Memorandum G.8) explaining the law relating to the hours of drivers can be obtained, free of charge, from the Licensing Authority.)

6. The expression "work" includes work of any description and not only the work of "driving." In the case of a part-time driver (or "statutory attendant" (see next para.)), for example, "work" would include time spent by that man behind the counter or in the warehouse or on any other kind of work performed by him under the terms of his employment. The expression "work" is used in some of the headings in the form scheduled to the Regulations and the reasons for including it in the definitions are mentioned in notes which follow later.

7. Records must also be kept of the hours of work of "statutory attendants," but this only applies to the extra man or men required by law to be employed in addition to the driver on certain vehicles or when trailers are drawn; it does not include a driver's mate (or a van-guard) engaged solely because the employer thinks it desirable to have two men on a vehicle. If this extra man ever drives the vehicle, however, he will be a driver and will have to keep a record.

RECORDS.

8. Regulation 6 deals with the keeping of records. It is the duty of the driver to keep--and it is the duty of the holder of a licence to cause to be kept--a current record divided into periods of twenty-four consecutive hours which shall give in respect of each such period during which or during any part of which the driver was employed in driving, the information prescribed by the Regulations.

9. Each record must relate to a separate period of twenty-four consecutive hours; normally this period will begin when the particular driver who has to keep the record starts work. This does not mean that for each period of twenty-four hours there must necessarily be a separate sheet; if the holder of a licence wishes, he may arrange for more than one period of

twenty-four hours to appear on one sheet. For example, there is nothing to prevent the particulars relating to the hours of work of a driver from being shown on a single sheet covering a week provided the record is kept so as to be a current record.

10. Regulation 7 (2) provides that each entry must be made in the record as soon as the particular item to be recorded is ascertained. It will not, therefore, be sufficient for the driver to write up his record at the end of his day's work. He should make the appropriate entry when first starting work, when starting an interval of rest, when starting work again and so forth.

CUSTODY AND SIGNING OF RECORDS.

11. Regulation 8 provides that every record must be carried by the driver until he has completed his work for the period to which the record relates; at the end of that period he must sign the record. The driver must deliver the record to the holder of the licence (or his authorised representative) within seven days of the expiration of the period to which it relates.

If two drivers are employed at the same time on a vehicle one form can cover the records of both (there is no need for each of them to keep a separate form) but the necessary particulars in respect of each driver must be clearly distinguishable and both of them should sign the joint record.

The holder of a licence must keep every record for at least six months and may be required by the Licensing Authority or a Chief Officer of Police to keep it for a further period not exceeding six months. He must produce any record for inspection if asked to do so by any Examiner or other person authorised by the Licensing Authority or a Chief Officer of Police (Act, sec. 16.)

Every Examiner and other person authorised by the Licensing Authority carries a "warrant" which the licence-holders in their own interests should ask to see before they produce any record for examination.

FORM OF RECORDS

12. The four forms scheduled to the Regulations set out the information to be recorded by drivers employed in different circumstances.

13. The information prescribed in Form 1 must be given in the case of a full-time driver employed on collection and/or delivery work within a radius of 25 miles from his loading base (that is, the base or centre from which the vehicle is

normally used); Form 2 shows the information required in the case of a part-time driver so employed. Form 3 shows the information to be given in the case of a full-time driver employed on other work, i.e., collection and/or delivery outside or partly outside a radius of 25 miles from his loading base, or any other work (e.g., journey work) which is not collection and/or delivery; Form 4 shows the information required in the case of a part-time driver so employed. For practical purposes it may be assumed that all journeys wholly within the 25 miles radius come under the description "collection and/or delivery," and that anything else is "journey work."

14. Some holders of licences will probably choose to use whichever of these forms suits their particular business, but, although the prescribed information must be recorded, it is not compulsory to follow one or other of the forms scheduled to the Regulations. Regulation 7 (1) (a) provides that the records may be kept in any other form "provided that every item of information required by the appropriate form is recorded in such manner as to be readily identifiable by an Examiner or other authorised person empowered by the Act to examine such records." It is important that this provision should be kept in mind by any licence holder who either adapts one of the prescribed forms or alters one of his own forms, and that the form used should include all the information that must be recorded.

15. Licence holders must make their own arrangements regarding the supply of whatever forms they use and it is most important that they should satisfy themselves that the forms used comply with the Regulations. A number of forms which have been offered for sale have omitted to provide space for all the information required and the persons using them have become liable to prosecution. Neither the Minister nor the Licensing Authorities can, or are prepared to, approve any particular form, nor can supplies be obtained from them or from H. M.Stationery Office.

INFORMATION TO BE RECORDED

16. The heading to each of the four forms in the Schedule to the Regulations contains two items:-

(i) Name of licence holder.--The licence is the A, B or C licence issued under the Road and Rail Traffic Act, 1933, and not the Road Fund licence issued in connection with the tax paid in respect of the vehicle.

(ii) Date.--The date is that which includes the 24 hours to which the record relates. If a driver starts work in the evening of one day and does not finish until the next day, both dates should be given (e.g., 10th-11th July, 1935).

The remainder of the information falls into two sections. Section 1 in each form relates to the periods of work and rest of the driver (and statutory attendant, if any); Section 2 concerns the journeys made and the loads carried.

FORM 1 (FULL-TIME DRIVER ON COLLECTION AND/OR DELIVERY WITHIN 25 MILES RADIUS FROM LOADING BASE).

Section 1.

17. Date and time last ceased work.--"Work" includes work of any description (see paragraph 6 above). In the case of a full-time driver it will in fact mean actual driving or work in connection with the vehicle or its load; if the driver is employed on any other work he is a part-time driver. This information is required because Section 19 of the Road Traffic Act, 1930, provides that all drivers of goods vehicles must be allowed a certain number of consecutive hours of rest in any period of 24 hours calculated from the commencement of any period of driving as defined (see para.5).

Time commenced work.--This means the time at which the driver began work for the period of 24 hours to which the record relates.

Intervals of rest.--All the rest periods that a driver has on any day between the time he starts work and the time he stops work must be shown.

Time ceased work.--This means the time at which the driver finished all work for the period of 24 hours to which the record relates.

Total time worked, excluding intervals of rest.--This means the number of hours between the time of commencing work and the time of ceasing work, less the intervals of rest taken during that time.

Section 2

18. Identification number of A, B or C licences.--The identification number to be entered is that of the licence under which the particular vehicle is operating.

I.M. and Reg. No. of vehicle.--This means the index mark and registration number of the vehicle that the driver is driving.

Number of trailers (if any).--If no trailer is ever drawn this heading need not appear.

District served.--All that is required is the name of the district or districts served, e.g., "Watford, Bushey and Rickmansworth." On the other hand, it is not sufficient merely to describe the district as "within 25 miles." There is, however, no need to give the route followed or to keep a separate record of each journey made on any one day in the

same district, as Regulation 7 (1) (c) allows of such journeys to be counted as one for the purpose of this particular Form.

Description of goods carried.--The record is not intended to be a waybill; it will be sufficient if the goods are described in the following way:- "hardware," "furniture," "vegetables," "groceries," "parcels-various."

Max. weight of goods carried at any one time.--The information required to be given is the actual weight of the heaviest load carried at any time during the period to which the record relates. Regulation 7 (1) (b), however, allows the entry "not exceeding 8½ tons" to be made if the load does not at any time exceed that weight; when properly made, this entry will be regarded as satisfying the Regulations. Otherwise the particulars must show the actual weight of the heaviest load carried.

There is only one way of ascertaining with absolute accuracy the weight of a load--that is, by weighing it--but it is not intended that every load must necessarily be weighed as in a number of cases (e.g., sugar in bags, petrol, bricks) the weight can be calculated by means of formulae which will give closely accurate results.

FORM 2 (PART-TIME DRIVER ON COLLECTION AND/OR DELIVERY WORK WITHIN 25 MILES RADIUS FROM LOADING BASE).

Section 1

19. The only difference between the particulars to be recorded by part-time drivers employed on collection and/or delivery work within 25 miles from their loading base and those for whole-time drivers similarly employed is that in the case of the part-time driver the record must show separately the total time spent in connection with the vehicle or its load.

Time commenced work; Time ceased work.--As already stated (para. 6) "work" includes work of any description. If a part-time driver begins work at 8 a.m., that is the time which must be recorded even if he does not begin to drive a vehicle until, say, 11.30 a.m. Similarly, the time of ceasing work is the hour at which the part-time driver finished work of any description--not necessarily driving--performed under the terms of his employment.

Time spent in connection with vehicle or load.--Between the hours at which he starts and finishes work, the part-time driver will be engaged in driving (including work in connection with the vehicle or load (see para. 5)); the total time he spends in this way must be recorded separately, e.g., 6½ hours.

Section 2.

20. The same particulars are required regarding journeys made and loads carried as in the case of a full-time driver on collection and/or delivery work within a radius of 25 miles from his loading base.

FORM 3 (FULL-TIME DRIVER ON ANY WORK OTHER THAN COLLECTION AND/OR DELIVERY WITHIN 25 MILES RADIUS FROM LOADING BASE).

Section 1.

21. Exactly the same information is required as in the case of full-time drivers employed on collection and/or delivery within 25 miles radius from loading base.

Section 2.

22. Two differences will be found between the information required in this case and that to be recorded by a full-time driver on collection and/or delivery within 25 miles from loading base:

(a) Journey.--Particulars of the journey must be given instead of the district served. There is no need to give the name of every place through which the vehicle passes, but enough must be given to indicate adequately the extent of the journey.

(b) Destination of goods.--This is an additional item. The address of every consignee need not be given. If goods are carried, say, from London to Leeds, it will be sufficient if "Leeds" is given as the destination although in fact the goods may have been delivered to a number of different addresses in Leeds. If goods are delivered at various places on the route, the name of each place should be entered.

FORM 4 (PART-TIME DRIVER ON ANY WORK OTHER THAN COLLECTION AND/OR DELIVERY WITHIN 25 MILES RADIUS FROM LOADING BASE.)

Section 1.

23. In this case each period of time spent in connection with a vehicle or its load must be shown separately; it will not be sufficient to record the total time so spent as in the case of the part-time driver working inside the 25 miles radius. Except for this the information to be recorded is the same as in the case of the part-time driver on collection and/or delivery work within 25 miles from the loading base.

Section 2

24. The information required is the same as in the case of a full-time driver employed on work other than collection and/or delivery work within a 25 miles radius.

EXEMPTIONS.

25. The Regulations grant partial exemption from the duty to keep records in the cases of farmers, showmen and owner-drivers, i.e., drivers who are also holders of the licence under which the vehicle is operated.

No record of the hours of drivers or of journeys and goods carried need be kept where a vehicle is being used in the business of agriculture or in the business of a travelling showman except where long journeys are undertaken. It should be noted however that the High Court has affirmed a decision that a vehicle which is being used for the retailing of the produce of a farm is not being used in the business of agriculture and therefore records must be kept when an authorised vehicle is used for that purpose.

Subject to the above, farmers need not keep any records unless the vehicle goes more than 25 miles from the place where it is usually kept and showmen need not keep any records unless the vehicle goes more than 50 miles in 24 hours.

If a vehicle goes more than these distances the records must be kept from the start of the journey. The record of hours must extend up to the end of the 24-hour period in which, and the record of journeys and goods carried until the actual time at which, the vehicle returns to the place where it is usually kept in the case of a farmer or reaches its destination in the case of a travelling showman.

An owner-driver need not keep any record when he himself is driving an authorised vehicle on a journey which is in no way connected with his trade or business, e.g., when he is using the vehicle for purposes of pleasure. It is important to note that this exemption only applies when the owner-driver himself is driving; a record must be kept if a paid driver is employed.

DISPENSATIONS

26. The last paragraph deals with certain exemptions provided for in the Regulations themselves. In addition, a Licensing Authority may dispense with the observance of any requirements of the Regulations relating to the carriage of goods under a licence granted by him. Except in the case of farmers and showmen (para. 27) the Authority cannot grant a dispensation unless he is satisfied "that it is not reasonably practicable, having regard to the nature of the

business concerned, for the requirement dispensed with to be observed." It should further be noted that these dispensations are confined to the particulars concerning "the carriage of goods"; they are therefore restricted to Section 2 of the Forms.

Regulation 9 provides that every application for a dispensation shall be made in writing to the Licensing Authority by whom the licence was granted. The application should state exactly what dispensation is required and must give the reasons why it is not "reasonably practicable" for the particular requirement to be observed.

27. There are special provisions regarding dispensations in connection with vehicles used in the business of agriculture or in the business of a travelling showman. In these cases the Authority is bound to grant a dispensation unless he is satisfied "that for special reasons the observance of any requirement of the Regulations is desirable as respects particular vehicles, or as respects vehicles used for any particular purpose."

28. Every dispensation granted by a Licensing Authority must be granted in writing and must state the nature of the dispensation and the period for which it has been granted. It should be noted, however, that even when a dispensation is granted, it will still be necessary for the driver of a vehicle to carry with him a form showing exactly what dispensation has been granted, and for how long.

Ministry of Transport.

ROAD TRAFFIC ACT, 1930.-SECTION 19

ROAD AND RAIL TRAFFIC ACT, 1933.-

SECTION 31

Hours of Drivers of Goods Vehicles

1. The following notes are intended to explain as simply as possible the law relating to the length of time the driver of a mechanically propelled vehicle may drive without a rest. These notes must not be regarded as a full and authoritative statement of the provisions of the law which is contained in Section 19 of the Road Traffic Act, 1930, and in Section 31 of the Road and Rail Traffic Act, 1933.

2. The provisions of these sections are intended to protect the public from the risks which arise in cases where drivers of motor vehicles are suffering from excessive fatigue. They therefore apply to owner-drivers as well as to employees.

In the case of practically every kind of mechanically propelled vehicle constructed or adapted either for carrying or hauling goods, it is not lawful for anyone to drive:-

(a) for any continuous period of more than 5½ hours; or
(b) for more than 11 hours in all in any period of 24 hours beginning at 2 a.m; or
(c) so that he has not at least 10 consecutive hours for rest in any period of 24 hours calculated from the time when he began to drive. The period of 10 hours may, however, be reduced to 9 hours if the driver has 12 consecutive hours for rest during the next following period of 24 hours.

3. The rest period which follows a 5½-hour spell of driving must be not less than half-an-hour. If the driver spends time in attending to a vehicle, e.g., repairs, or in loading or off-loading a vehicle or attending to the load in any way, such time counts as driving time. During this half-hour rest period he may travel as a passenger on the vehicle.

4. During the 10-hour or (in certain cases) 9-hour period of rest between complete spells of duty the driver must not be required to remain at or near the vehicle or to be in any way under the orders of his employer and he must be free from any responsibility as regards the vehicle or load; and, furthermore, if the vehicle is not at a place where reasonable facilities exist for him to rest, any time he may spend waiting at that place is not to be considered as rest time.

5. It is a condition of every licence issued under the Road and Rail Traffic Act, 1933, that in relation to the vehicles

authorised under the licence the requirements specified in Section 19 of the Road Traffic Act, 1930 (as varied or amended by any order under that section or by the Road and Rail Traffic Act, 1933, or any subsequent enactment), with respect to the time for which drivers of certain vehicles may remain continuously on duty and the hours which they are to have for rest are observed. Further, it is provided in Section 9 (I) of the Act of 1933 that any person who fails to comply with any condition of a licence held by him shall be guilty of an offence under Part I of the Act. It is also provided that, subject to the provisions of Section 13 (I) of the Act, a licence may be revoked or suspended by the Licensing Authority by whom the licence was granted on the ground that any of the conditions of the licence have not been complied with.

Ministry of Transport.

May, 1937.

ROAD TRAFFIC ACT, 1930.

ROAD AND RAIL TRAFFIC ACT, 1933.

Wages and Conditions of Employment of Drivers and Statutory Attendants on Goods Vehicles.

1. The following notes are intended to explain as simply as possible the law relating to the wages and conditions of employment of drivers and statutory attendants on goods vehicles authorised under Public "A" and Limited "B" Carriers' licences. These notes must not be regarded as a full and authoritative statement of the provisions of the law which is contained in Section 93 of the Road Traffic Act, 1930, and in Section 32 of the Road and Rail Traffic Act, 1933.

2. In accordance with Section 121 of the Road Traffic Act, 1930, the term "driver", where a separate person acts as steersman of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle. The term "statutory attendant" includes all attendants required by Section 17 of that Act (as varied by any Regulations made by the Minister of Transport) to be carried on or to accompany any motor vehicle or trailer drawn by a motor vehicle.

3. The provisions of Section 93 of the Act of 1930 and of Section 32 of the 1933 Act are to the effect that the wages and conditions of employment shall be not less favourable than those which would have to be observed under a contract complying with the Fair Wages Resolution of the House of Commons in force at the time.

4. The Resolution at present in force is as follows:-

"The Contractor shall, under a penalty of a fine or otherwise, pay rates of wages and observe hours of labour not less favourable than those commonly recognised by employers and trade societies (or, in the absence of such recognised wages and hours, those which in practice prevail amongst good employers) in the trade in the district where the work is carried out. Where there are no such wages and hours recognised or prevailing in the district, those recognised or prevailing in the nearest district in which the general industrial circumstances are similar shall be adopted. Further the conditions of employment generally accepted in the district in the trade concerned shall be taken into account in considering how far the terms of the Fair Wages Clause are being observed. The Contractor shall be prohibited from transferring or assigning, directly or indirectly, to any person or persons whatever, any portion of his contract without the written permission of the Department. Sub-letting, other than that which may be customary in the trade concerned, shall be prohibited. The Contractor shall be responsible for the observance of the Fair Wages Clause by the sub-contractor."

5. It will be a condition of every "A" and "B" licence that the provisions of Section 93 of the Road Traffic Act, 1930, as amended by Section 32 of the Road and Rail Traffic Act, 1933, are complied with in relation to the authorised vehicles. Any organisation of persons engaged in road transport may make representations to the licensing authorities that the provisions of Section 93 (as amended) have not been observed and, if the matter is not otherwise disposed of, it shall be referred to the Industrial Court. The Industrial Court in arriving at its decision is required to have regard to the wages or conditions of service for persons employed in a similar capacity embodied in any decision of a joint industrial council, conciliation board or other similar body, or in any agreement between organisations representative of employers and work people.

6. If the Industrial Court find that the carrier has not observed the terms of Section 93 (as amended) the carrier is liable to the same penalties as if he had broken the conditions attached to his carrier's licence. Section 9 (1) of the Road and Rail Traffic Act, 1933, provides that a licensee who fails to comply with the conditions of his licence is guilty of an offence punishable under the Act and Section 13 (1) of the Act provides that, in certain circumstances, such failure may lead to his licence being revoked or suspended by the licensing authority by whom it was granted.

Ministry of Transport.

October, 1936.

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ROAD AND RAIL TRAFFIC ACT, 1933

Carrier's Licences for Agricultural Vehicles

(Revised January, 1937.

This leaflet is issued for the guidance of users of agricultural vehicles, but must not be regarded as a full and authoritative statement of the provisions of the Acts concerned. Any person who is in doubt about his position should consult the Licensing authority for his Traffic Area.

In general, the Road and Rail Traffic Act requires persons who use goods carrying vehicles to take out an additional licence, but it makes special arrangements in the case of agricultural vehicles. In some cases the Act gives exemption from the licensing requirements; in others it puts the user of agricultural vehicles in a different position from the user of ordinary goods vehicle s.

Agricultural vehicles may be divided into three classes:-

CLASS I. - Exempt from the licensing provisions of the Act.

(a) Locomotive ploughing engines, tractors, agricultural tractors and other agricultural engines, which are not used on roads for hauling any objects except their own necessary gear, threshing appliances, farming implements, or supplies of water or fuel required for the purposes of the vehicle or for agricultural purposes.

For this class of vehicle the Road Fund licence duty is 5s. a year and is charged under paragraph 4 (a) of the Schedule to the Finance Act.

(b) Tractors, agricultural tractors and agricultural engines (except those in respect of which a duty of 5s. is chargeable) which are registered under the Roads Act, 1920, in the name of a person engaged in agriculture, and are not used on roads for hauling any objects except the produce of, or articles required for the purposes of, the agricultural land occupied by that person.

For this class of vehicle the Road Fund licence duty is charged under paragraph 4 (d) of the Schedule to the Finance Act at the special rates of £12 a year for vehicles not exceeding 5 tons weight unladen, £20 for vehicles between 5 tons and 10 tons, and £2 for each additional ton or part of a ton.

(c) Goods vehicles registered under the Roads Act, 1920, in the name of a person engaged in agriculture and used on roads solely by that person for the purpose of the conveyance (including the retail distribution) of the produce of, or of articles required for the purposes of, the agricultural land which he occupies and for no other purpose. (Conveyance

Carrier's Licences for Agricultural Vehicles

This leaflet is issued for the guidance of users of agricultural vehicles, but must not be regarded as a full and authoritative statement of the provisions of the Road and Rail Traffic Act, 1933. Any person who is in doubt about his position should consult the licensing authority for his Traffic Area.

In general, the Road and Rail Traffic Act requires persons who use goods carrying vehicles in the course of a business to take out an additional licence, but it makes special arrangements in the case of agricultural vehicles. In some cases the Act gives exemption from the licensing requirement in other cases it puts the user of agricultural vehicles in a different position from the user of ordinary goods vehicles.

Agricultural vehicles may be divided into three classes:-

CLASS I. - Exempt from the licensing provisions of the Act.

(a) Locomotive ploughing engines, tractors, self-propelled trenchers and other agricultural engines, which are not used on roads for hauling any objects except their own necessary gear. Trailing implements, or supplies or water or fuel required for the purposes of the vehicle or for agricultural purposes.

For this class of vehicle the Road Fund licence duty is £0. a year and is charged under paragraph 4 (a) of the Schedule to the Finance Act.

(b) Tractors, agricultural trailers and agricultural engines (except those in respect of which a duty of 5s. is charged) which are registered under the Roads Act, 1920, in the name of a person engaged in agriculture, and are not used on roads for hauling any objects except the produce of, or articles required for the purposes of, the agricultural land occupied by that person.

For this class of vehicle the Road Fund licence duty is £1 a year for vehicles not exceeding 5 tons unladen weight, £10 for vehicles between 5 tons and 12 tons, and £2 for each additional ton or part of a ton.

(c) Goods vehicles registered under the Roads Act, 1920, in the name of a person engaged in agriculture and used on roads solely by that person for the purpose of the conveyance (including the retail distribution) of the produce of, or of articles required for the purposes of, the agricultural land which he occupies and for no other purpose. (Continued overleaf)

of the produce of another farmer is permitted, but the vehicles may only be so used occasionally; only a small proportion of the goods carried may belong to the other farmer; and no payment or reward may be accepted for carrying his goods.)

For this class of vehicle the Road Fund licence duty is charged under paragraph 5 (a) of the Schedule to the Finance Act and the rates are lower than those for ordinary goods vehicles except in the case of a vehicle which does not exceed 12 cwt. in weight unladen. For example, the annual duty on a vehicle which exceeds 1½ tons but does not exceed 2 tons is only £13 instead of £25.

(d) Trailers drawn by vehicles falling within the above classes (a), (b) and (c) and used only for the purposes specified.

CLASS II. - To be authorised under private carrier's C licence.

Unless they are taxable at one of the special reduced rates mentioned in the foregoing paragraphs a C licence will be required for vehicles which are used by a farmer for the carriage of goods in connection with his trade or business.

A vehicle authorised under a C licence for the carriage of goods in connection with his own agricultural business may be used by one farmer to carry the goods of another farmer for hire or reward (i.e. there will be no need for an A or a B licence) if the following conditions are fulfilled:-

(1) The second farmer's farm must be in the same locality as his own and
(2) The goods must be carried in connection with the second farmer's agricultural business.

As regards the second of these conditions, it should be noted that, under a decision of the High Court, the business of agriculture does not include the carriage of the produce of a farm for retail distribution. The carriage of a neighbouring farmer's goods for retail distribution for hire or reward does not therefore comply with that condition and must be authorised under an A or a B licence.

(The chief difference between the use of vehicles under C licences as described above and the use of those mentioned in Class I (c) is that, so long as vehicles authorised under a C licence are used in such a way as to comply with the conditions described, they may be used as often as may be desired for carrying any amount of goods for another farmer and payment may be accepted for the services rendered.)

CLASS III. - To be authorised under a limited carrier's B licence.

A B licence will be necessary to authorise the use of any vehicles which are used in such a way that they do not fall within any of the categories mentioned above. A farmer will require a B licence for any vehicles which he uses not only for his own purposes but also for the carriage for hire or reward or any goods other than those carried for a neighbouring farmer in connection with the business of agriculture carried on by him.

MECHANICAL FITNESS OF VEHICLES.

All goods vehicles, including those not subject to licensing, are liable to inspection by the Examiners appointed under the Act, and their use for the carriage of goods may be prohibited if they are not in a fit and serviceable condition.

Ministry of Transport.

GREAT BRITAIN

YEAR 1938. Commencing 1st January and ending 31st December

LICENCES

For CARRIAGES AND MECHANICALLY-PROPELLED ROAD VEHICLES

Persons keeping Carriages and mechanically-propelled Road Vehicles used on Public Roads are required by Statute to take out Licences authorising them to do so. The duty payable upon each vehicle is as follows:—

	Annual Duty £	s.	d.	Quarterly Duty* £	s.	d.
CARRIAGES DRAWN by HORSES or MULES						
(a) With Four or more Wheels :—						
(i) To be drawn, or adapted or fitted to be drawn, by 3 or more horses or mules ... ... Used as an Ordinary Carriage	2	2	0	–	–	–
" " a Hackney "	0	15	0	–	–	–
(ii) " " " " by 1 horse or mule only ... ... " an Ordinary "	1	1	0	–	–	–
" a Hackney "	0	15	0	–	–	–
(b) With less than Four Wheels ... ... " an Ordinary "	0	15	0	–	–	–
" a Hackney "	0	15	0	–	–	–
MECHANICALLY-PROPELLED ROAD VEHICLES.						
1. **Cycles** (including motor scooters and cycles with an attachment for propelling them by mechanical power) not exceeding 3 cwt. in weight unladen :—						
(a) Bicycles—Where the cylinder capacity of the engine thereof—						
(i) does not exceed 150 cubic centimetres	0	12	0	0	3	4
(ii) exceeds 150 cubic centimetres but does not exceed 250 cubic centimetres	1	2	6	0	6	3
(iii) exceeds 250 cubic centimetres—in a case where the bicycle is one in respect of which a licence was taken out before the first day of January, nineteen hundred and thirty-three, and does not exceed 224 lbs. in weight unladen	1	2	6	0	6	3
in any other case	2	5	0	0	12	5
(b) Bicycles if used for drawing a Trailer or Side Car, an additional sum of	0	15	0	0	4	3
(c) Tricycles neither constructed nor adapted for use nor used for the carriage of a driver or a passenger	2	0	0	0	11	0
Other tricycles	4	0	0	1	2	0
2. **Vehicles** (including cycles with an attachment for propelling the same by mechanical power) not exceeding 5 cwt. in weight unladen adapted and used for Invalids	–	–	–	–	–	–
3. (c) Tramcars	0	15	0	–	–	–
3. (b) Hackney carriages, as defined in Section 4 of the Customs and Inland Revenue Act, 1888.						
Having a seating capacity (exclusive of driver) for—						
Not more than 4 persons ... ... All vehicles	10	0	0	2	15	0
More than 4 but not more than 8 persons ... ... All vehicles	12	0	0	3	6	0
" 8 " " 14 " ... ... Fitted entirely with pneumatic tyres	24	0	0	6	12	0
Other vehicles	30	0	0	8	5	0
" 14 " " 20 " ... ... Fitted entirely with pneumatic tyres	36	0	0	9	18	0
Other vehicles	45	0	0	12	7	6
" 20 " " 26 " ... ... Fitted entirely with pneumatic tyres	48	0	0	13	4	0
Other vehicles	60	0	0	16	10	0
" 26 " " 32 " ... ... Fitted entirely with pneumatic tyres	57	12	0	15	16	10
Other vehicles	72	0	0	19	16	0
" 32 " " 40 " ... ... Fitted entirely with pneumatic tyres	67	4	0	18	9	8
Other vehicles	84	0	0	23	2	0
" 40 " " 48 " ... ... Fitted entirely with pneumatic tyres	76	16	0	21	2	5
Other vehicles	96	0	0	26	8	0
" 48 " " 56 " ... ... Fitted entirely with pneumatic tyres	86	8	0	23	15	3
Other vehicles	108	0	0	29	14	0
" 56 " " 64 " ... ... Fitted entirely with pneumatic tyres	96	0	0	26	8	0
Other vehicles	120	0	0	33	0	0
Additional for each person in excess of 64 ... ... Fitted entirely with pneumatic tyres	1	4	0	0	6	8
Other vehicles	1	10	0	0	8	3
4. (a) **Locomotive Ploughing Engines, Tractors, Agricultural Tractors** and other agricultural engines, which are not used on roads for hauling any objects except their own necessary gear, threshing appliances, farming implements, a living van for the accommodation of persons employed in connection with the vehicle or supplies of water or fuel required for the purposes of the vehicle or for agricultural purposes.	0	5	0	–	–	–
4. (b) Vehicles designed, constructed and used for the purpose of **Trench Digging** or any kind of excavating or shovelling work which are used on roads only for that purpose or for the purpose of proceeding to and from the place where they are to be used for that purpose, and when so proceeding neither carry nor haul any load other than such as is necessary for their propulsion or equipment. **(Road Construction Vehicles are exempt.)**	0	5	0	–	–	–
4. (c) **Mowing Machines**	0	5	0	–	–	–
4. (d) **Tractors, Agricultural Tractors, and Agricultural Engines** (other than vehicles in respect of which a duty of 5s. is chargeable under the foregoing provisions of this paragraph) which are registered under the Roads Act, 1920, in the name of a person engaged in agriculture, and are not used on roads for hauling any objects except the produce of, or articles required for the purposes of, the agricultural land occupied by that person :—						
Not exceeding 5 tons in weight unladen	12	0	0	3	6	0
Exceeding 5 tons in weight unladen but not exceeding 10 tons in weight unladen	20	0	0	5	10	0
Exceeding 10 tons in weight unladen for each additional ton or part of a ton	2	0	0	0	11	0
4. (e) **Vehicles** (other than vehicles in respect of which duty is chargeable under the foregoing provisions of this paragraph) which are constructed and used upon roads **for haulage solely** and not for the purpose of carrying or having superimposed upon them any load except such as is necessary for their propulsion or equipment—						
(e) (i) Being vehicles registered under the Roads Act, 1920, in the name of a person following the business of a **travelling showman** and used solely by him for the purposes of his business and for no other purpose—						

	Annual Duty £	s.	d.	*Quarterly Duty £	s.	d.
Not exceeding 7½ tons in weight unladen ...	25	0	0	6	17	6
Exceeding 7½ tons but not exceeding 8 tons ...	30	0	0	8	5	0
" 8 " " 10 "	35	0	0	9	12	6
" 10 " " in weight unladen for each additional ton or part of a ton.	5	0	0	1	7	6

4 (e) (ii) Other such vehicles **(General Haulage)**—			
Not exceeding 2 tons in weight unladen	25	0	0
Exceeding 2 tons but not exceeding 4 tons	40	0	0
" 4 " " " 6 "	55	0	0
" 6 " " " 7½ "	70	0	0
" 7½ " " " 8 "	85	0	0
" 8 " in weight unladen for each additional ton or part of a ton.	15	0	0

5. **Goods Vehicles** (including tricycles weighing more than 8 cwt. unladen) constructed or adapted for use and used for the conveyance of goods or burden of any description whether in the course of trade or otherwise :—						
(a) Goods vehicles registered under the Roads Act, 1920, in the name of a person engaged in **agriculture** and used on roads solely by that person for the purpose of the conveyance of the produce of, or of articles required for the purposes of, the agricultural land which he occupies and for no other purpose :—						
Not exceeding 12 cwt. in weight unladen ... ... All vehicles	10	0	0	2	15	0
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen	11	0	0	3	0	6
" 1 ton " " 1½ tons "	12	0	0	3	6	0
" 1½ tons " " 2 " "	13	0	0	3	11	6
Fitted entirely with pneumatic tyres	14	0	0	3	17	0
" 2 " " " 2½ " " ... ... Other vehicles	18	13	4	5	2	3
Fitted entirely with pneumatic tyres	16	0	0	4	8	0
" 2½ " " " 3 " " ... ... Other vehicles	21	6	8	5	17	4
Fitted entirely with pneumatic tyres	2	0	0	0	11	0
" 3 " for each additional ton or part of a ton ... ... Other vehicles	2	13	4	0	14	8
With an additional duty if used for drawing a Trailer (other than a farming implement) *see* 5 (*d*) (ii).						
5. (*b*) **Goods Vehicles** registered under the Roads Act, 1920, in the name of a person following the business of a **travelling showman**, which are permanently fitted with a living van or some other special type of body or superstructure, forming part of the equipment of his show, and used solely by him for the purposes of his business, and for no other purpose :—						
Not exceeding 12 cwt. in weight unladen ... ... All vehicles	10	0	0	2	15	0
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen	12	0	0	3	6	0
" 1 ton " " 1½ tons "	14	0	0	3	17	0
" 1½ tons " " 2 " "	16	0	0	4	8	0
Fitted entirely with pneumatic tyres	18	0	0	4	19	0
" 2 " " " 2½ " " ... ... Other vehicles	24	0	0	6	12	0
Fitted entirely with pneumatic tyres	20	0	0	5	10	0
" 2½ " " " 3 " " ... ... Other vehicles	26	13	4	7	6	8
Fitted entirely with pneumatic tyres	4	0	0	1	2	0
" 3 " for each additional ton or part of a ton ... ... Other vehicles	5	6	8	1	9	4
5. (*d*) (i) With an additional duty, if used for drawing a Trailer	10	0	0	2	15	0
5. (*c*) (i) **Goods Vehicles** other than vehicles chargeable with duty under sub-paragraphs (*a*) or (*b*) of this paragraph which are **electrically-propelled** :—						
Not exceeding 12 cwt. in weight unladen ... ... All vehicles	10	0	0	2	15	0
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen	15	0	0	4	2	6
" 1 ton " " 2 tons "	20	0	0	5	10	0
Fitted entirely with pneumatic tyres	25	0	0	6	17	6
" 2 tons " " 2½ " " ... ... Other vehicles	33	6	8	9	3	4
Fitted entirely with pneumatic tyres	30	0	0	8	5	0
" 2½ " " " 3 " " ... ... Other vehicles	40	0	0	11	0	0
Fitted entirely with pneumatic tyres	35	0	0	9	12	6
" 3 " " " 4 " " ... ... Other vehicles	46	13	4	12	16	8
Fitted entirely with pneumatic tyres	40	0	0	11	0	0
" 4 " " " 5 " " ... ... Other vehicles	53	6	8	14	13	4
Fitted entirely with pneumatic tyres	45	0	0	12	7	6
" 5 " " " 6 " " ... ... Other vehicles	60	0	0	16	10	0
Fitted entirely with pneumatic tyres	10	0	0	2	15	0
" 6 " for each additional ton or part of a ton ... ... Other vehicles	13	6	8	3	13	4
With an additional duty if used for drawing a Trailer, *see* 5 (*d*) (ii).						
5. (*c*) (ii) **Goods Vehicles** which are propelled by **Steam** or which are constructed or adapted to use **Coal Gas** as fuel :—						
Not exceeding 2 tons in weight unladen ... ... All vehicles	25	0	0	6	17	6
Exceeding 2 tons but not exceeding 2½ tons in weight unladen ... ... Fitted entirely with pneumatic tyres	30	0	0	8	5	0
Other vehicles	40	0	0	11	0	0
" 2½ " " " 3 " " ... ... Fitted entirely with pneumatic tyres	35	0	0	9	12	6
Other vehicles	46	13	4	12	16	8
" 3 " " " 4 " " ... ... Fitted entirely with pneumatic tyres	50	0	0	13	15	0
Other vehicles	66	13	4	18	6	8
" 4 " " " 5 " " ... ... Fitted entirely with pneumatic tyres	70	0	0	19	5	0
Other vehicles	93	6	8	25	13	4
" 5 " " " 6 " " ... ... Fitted entirely with pneumatic tyres	90	0	0	24	15	0
Other vehicles	120	0	0	33	0	0
" 6 " for each additional ton or part of a ton ... ... Fitted entirely with pneumatic tyres	15	0	0	4	2	6
Other vehicles	20	0	0	5	10	0
With an additional duty, if used for drawing a Trailer, *see* 5 (*d*) (ii).						
5. (*c*) (iii) **Goods Vehicles** which are not chargeable with duty under the foregoing provisions of this sub-paragraph **(Petrol: Heavy Oil, &c.).**						
Not exceeding 12 cwt. in weight unladen ... ... All vehicles	10	0	0	2	15	0
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen	15	0	0	4	2	6
" 1 ton " " 1½ tons "	20	0	0	5	10	0
" 1½ tons " " 2 " "	25	0	0	6	17	6
Fitted entirely with pneumatic tyres	30	0	0	8	5	0
" 2 " " " 2½ " " ... ... Other vehicles	40	0	0	11	0	0
Fitted entirely with pneumatic tyres	35	0	0	9	12	6
" 2½ " " " 3 " " ... ... Other vehicles	46	13	4	12	16	8
Fitted entirely with pneumatic tyres	50	0	0	13	15	0
" 3 " " " 4 " " ... ... Other vehicles	66	13	4	18	6	8
Fitted entirely with pneumatic tyres	80	0	0	5	10	0
" 4 " for each additional ton or part of a ton ... ... Other vehicles	26	13	4	7	6	8
With an additional duty if used for drawing a Trailer, *see* 5 (*d*) (ii).						
5. (*d*) (ii) **Goods Vehicles** if used for drawing a **Trailer**—additional duty :—						
Where the weight of the vehicle unladen does not exceed 2½ tons	10	0	0	2	15	0
" " " " " exceeds 2½ tons but does not exceed 4 tons	15	0	0	4	2	6
" " " " " exceeds 4 tons	20	0	0	5	10	0
6. Any vehicles other than those charged with duty under the foregoing provisions of this Schedule :—						
Not exceeding 6 horse-power or electrically-propelled	4	10	0	1	4	2
Exceeding 6 horse-power. For each Unit or part of a Unit of horse-power	0	15	0	0	4	2
7. A vehicle shall not be deemed to be an electrically-propelled vehicle within the meaning of this Schedule unless the electrical motive power is derived either from a source external to the vehicle or from an electrical storage battery which is not connected to any source of power when the vehicle is in motion.						

* Quarterly Licences expire on the 24th March, 30th June, 30th September, or 31st December in **each year.**

Part-Quarterly Licences expiring at the end of the current quarter are issued in respect of Mechanically-Propelled Vehicles, when the annual rate of duty exceeds £4, on payment of a proportion of the duty for the quarter as follows :—if taken out on or after the 1st day of 2nd month of Quarter, 2-thirds ; the 1st day of 3rd month of Quarter, 1-third.

Part-Year Licences for Mechanically-Propelled Vehicles are issued at any time during the year on payment of a proportion of the full annual duty, full particulars of which are set out on the appropriate declaration forms for licensing vehicles which can be obtained from the Council of the County or County Borough in whose area the applicant resides.

IMPORTANT. Under the provisions of Section 14 of the Finance Act, 1923, where a vehicle is used for various purposes or in such a manner as to cause it to fall under more than one of the above categories during a licensing period, duty is leviable at the highest appropriate rate.

(2250—6) Wt. 34688—2567 48,000 10/37 P. St. G.370 (T.A. 2567)